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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,486	02/28/2002	Jan Gerard Snip	PTT-136/CIP	5726

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EXAMINER

HASHEM, LISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,486

Applicant(s)

SNIP ET AL.

Examiner

Lisa Hashem

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term 'parallel mobile networks' is not specifically defined in the specification of the instant application. Appropriate correction is required. Examiner assumes 'parallel mobile networks' has the same meaning as 'mobile networks'.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 8-13, 18, and 20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application No. US 2001/0019951 by Haumont et al, hereinafter Haumont.

Regarding claim 1, Haumont discloses a method of transferring a message (e.g. voice mail message) stored in a computer arrangement or voice mail server (Figure 1, 20) to a mobile device (Figure 1, 30), comprising: transmitting an alert message via SMS from said computer

arrangement to said mobile device via a first mobile network (see Figure 1; section 0002, line 1 – section 0004, line 9; section 0042, line 1 – section 0043, line 8); transmitting said message stored in said computer arrangement (Figure 1, 20) to said mobile device (Figure 1, 30) upon request from said mobile device (section 0043, lines 1-8) via a second mobile network (section 0044, lines 1-7); wherein both said first and second networks being parallel networks.

Regarding claim 2, the method according to claim 1 mentioned above, wherein Haumont further discloses establishing an on-line connection between said computer arrangement and said mobile device (Figure 1; section 0044, lines 1-7).

Regarding claim 3, the method according to claim 1 mentioned above, wherein Haumont further discloses said first network (GSM) inherently is arranged to utilize a first protocol and wherein said second network (GPRS) is inherently arranged to utilize a second protocol (section 0042, line 1 – section 0044, line 7).

Regarding claim 8, the method according to claim 1 mentioned above, wherein Haumont further discloses the second wireless network is either GPRS or UMTS (see Abstract; section 0049, lines 1-4; section 0051, lines 1-7, section 0054, lines 1-11).

Regarding claim 9, a method according to claim 1 mentioned above, wherein Haumont further discloses said first wireless network is GSM (section 0002, line 1 – section 0004, line 9).

Regarding claim 10, a method according to claim 1 mentioned above, wherein Haumont further discloses establishing an on-line connection between said computer arrangement and said mobile device either automatically by said mobile device or by said mobile device after being instructed to do so by a user of the mobile device (section 0043, line 1 - section 0044, line 7).

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Regarding claim 11, a please see the rejection to the method in claim 1 mentioned above, to reject the communication system in claim 11.

Regarding claim 12, a communication system according to claim 11 mentioned above, wherein please see the rejection to the method in claim 2 above, to reject the system in claim 12.

Regarding claim 13, a communication system according to claim 11 mentioned above, wherein please see the rejection to the method in claim 3 above, to reject the system in claim 13.

Regarding claim 18, a communication system according to claim 12 mentioned above, wherein Haumont further discloses the system comprises a gateway (section 0039, lines 1-4) between the computer arrangement (Figure 1, 20) and the first and second mobile networks.

Regarding claim 20, a communication system according to claim 12 mentioned above, wherein Haumont further discloses the system comprises at least one mobile device (Figure 1, 30; section 0042, lines 1-8).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 23 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent 6,243,739 by Schwartz et al, hereinafter Schwartz.

Regarding claim 23, Schwartz discloses a mobile device (Figure 1, 11) arranged to receive an alert message through a first mobile network (Figure 1, 1; column 3, lines 42-51;

column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23), to automatically generate a HTTP get message or HDTP “Service Request”, via computer (Figure 1, 31; column 7, lines 24-57), to transmit the HTTP get message to a computer arrangement or server (Figure 1, 51) storing a message for the mobile device (Figure 1, 11) and to receive the message from said computer arrangement or server (Figure 1, 51) as a HTTP reply message, via computer (Figure 1, 31; column 7, lines 58-66) through a second mobile network, wherein both said first and second networks belong in part to the same physical network.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-7, 14-17, 19, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. US 2001/0019951 by Haumont in further view of U.S. Patent No. 6,243,739 by Schwartz.

Regarding claim 4, the method according to claim 3 mentioned above, wherein Haumont further discloses translating said message in said second protocol before transmission to said mobile device (section 0054, lines 1-11).

Haumont does not disclose said message from said computer arrangement to a protocol translator using a third protocol.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert

message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses sending said message from said computer arrangement to a protocol translator (inherently in computer, Figure 1, 31) using a third protocol (UDP/IP), translating said message in said third protocol to a message in said second protocol before transmission to said mobile device (column 5, lines 10-21; column 6, lines 54-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include using a third protocol as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to translate said message before transmission to said mobile device in order for it to be viewed by the user of said mobile device.

Regarding claim 5, the method according to claim 1 mentioned above, wherein Haumont further discloses said computer arrangement is a voice mail server (Figure 1, 20; section 0038, lines 1-5).

Haumont does not disclose said computer arrangement is an e-mail server.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network

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(Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses said computer arrangement is inherently an e-mail server (Figure 1, 51; column 3, lines 47-51; column 7, lines 58-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include an e-mail server as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to transmit e-mail messages to said mobile device.

Regarding claim 6, the method according to claim 5 mentioned above, wherein Schwartz further discloses said message is inherently an e-mail message (see Abstract; column 7, lines 58-59).

Regarding claim 7, the method according to claim 1 mentioned above, wherein Haumont does not disclose said second protocol is HTTP.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see

Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses said second protocol is inherently HDTP, which resembles HTTP but is optimized for use with remote devices like wireless telephones (column 5, lines 10-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include said second protocol is HTTP as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a protocol (e.g. HTTP) to transmit messages to said mobile device.

Regarding claim 14, a communication system according to claim 13 mentioned above, wherein please see the rejection to the method in claim 4 above, to reject the system in claim 14.

Regarding claim 15, a communication system according to claim 14 mentioned above, wherein Schwartz further discloses said protocol translator is included in the computer (Figure 1, 31); wherein computer and computer arrangement (Figure 1, 51) may be located on same hardware (column 4, lines 27-31; column 5, lines 10-21; column 6, lines 54-64).

Regarding claim 16, a communication system according to claim 12 mentioned above, wherein please see the rejection to the method in claim 5 above, to reject the system in claim 16.

Regarding claim 17, a communication system according to claim 16 mentioned above, wherein Schwartz further discloses said message is inherently an e-mail stored at the e-mail server (see Abstract; column 7, 58-59).

Regarding claim 19, a communication system according to claim 18 mentioned above, wherein Haumont further discloses the computer arrangement, upon receiving said message

generates an SMS message for said mobile device including said alert message (section 0045, lines 1-9)

Haumont does not disclose the computer arrangement establishing a PAP message to said gateway and the gateway generating an SMS message for said mobile device.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Schwartz further discloses, in operation, the computer arrangement (Figure 1, 51), upon inherently receiving said message, inherently establishes a PAP (standard authentication) message and transmits this PAP message via a PAP protocol to said gateway (Figure 1, 31; column 7, lines 58-59; column 8, lines 25-46), and the gateway (Figure 1, 31), upon receiving said PAP message, generates a message for said mobile device (Figure 1, 11) including said alert message (column 10, lines 22-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include a PAP message and a gateway generating an alert message as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a third protocol (e.g. PAP) to transmit messages from said

computer arrangement to said mobile device and to send alerts to said mobile device from a device other than the computer arrangement (e.g. a gateway).

Regarding claim 21, a communication system according to claim 20 mentioned above, wherein Haumont does not disclose said mobile device is arranged to generate an HTTP get message upon receiving said alert message.

Schwartz discloses a method of transferring a message stored in a computer arrangement or server (Figure 1, 51) to a mobile device (Figure 1, 11), comprising: transmitting an alert message from said computer arrangement to said mobile device via a first mobile network (Figure 1, 1; column 3, lines 42-51; column 10, lines 22-34; column 10, line 56 – column 11, line 7; column 11, lines 15-23); transmitting said message stored in said computer arrangement (Figure 1, 51) to said mobile device (Figure 1, 11) upon request from said mobile device (see Abstract) via a second mobile network (Figure 1, 40); wherein both said first and second networks belong in part to the same physical network.

Wherein Schwartz further discloses said mobile device (Figure 1, 11) is arranged to generate an HTTP get message or HDTP “Service Request” upon receiving said alert message, via computer (Figure 1, 31), either automatically or after having received an instruction to that effect from a user of the mobile device (column 7, lines 24-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Haumont to include HTTP get message as taught by Schwartz. One of ordinary skill in the art would have been lead to make such a modification to utilize a HTTP get message to indicate the transfer of the message stored in the computer arrangement to the mobile device.

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Regarding claim 22, a communication system according to claim 21 mentioned above, wherein Schwartz further discloses said protocol translator is arranged to translate said message to a HTTP or HDTP reply message (column 7, lines 58-66).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 5,771,353 by Eggleston et al disclose a method of transferring a message stored in an electronic post office to a mobile device via a communications server

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh

December 10, 2004

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a long horizontal stroke extending to the right.

**FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**